Comments in Response to Examiner

Applicants submit that in the Appeal Brief a SIP message is given as an example of a signalling protocol message (see page 5 line 5). As stated in the Appeal Brief signalling protocol messages or messages are exchanged between machines for some purpose, for example establishing a media session between user terminals. Signalling protocol messages are not visible to end users.

The Examiner states that "signalling protocol message" is not defined in the specification and the Examiner is left to interpret this term in the light of the applicant's disclosure and the relevant prior art. The disclosure of the patent application should be read through the eyes of the skilled artisan. However, signalling protocol messages are well known in the art – where they are used to manage dialogues between end-user application processes and would not be understood as being limited to SIP. One skilled in the art would understand that group of protocols known as signalling protocols include, for example, SS7, SIGTRAN, H.323, and BICC in addition to SIP. Furthermore, one skilled in the art would recognize that an email message is not included in the group of messages called signalling protocol messages.

Minor Informalities

Claim 2 has been amended to end with a period.

Drawings

New Figure 16 is filed herewith to remove the handwritten features in Figure 16.

Claim Rejection – 35 USC §112

Claim 3 has been amended to recite the limitation "a caller". Applicants submit that "the identity" requires no antecedent as it belongs to the caller and all callers will have an identity.

Claim 8 has been amended to remove the "the access configuration information". It has also been amended to depend from Claim 7.

Claim 10 has been amended to recite " a called party".

Claim Rejections – 35 USC §102

Claims 1 has been amended to recite "storing computer software codes in at least one signalling protocol message". Applicants submit that this limitation does not correspond to the use of JavaBeans, servelets or applets within a SIP communication network as claimed by the Examiner. This is because the computer software code now needs to be stored within the message rather than merely associated with it.

The Examiner rejects Claims 1, 7 to 8, 11 and 14 as being anticipated by Anjum. Applicants submit that Anjum does not disclose "storing computer software code in at least one signalling protocol message" as claimed in Claim 1.

Paragraph 2 of the paper, states that "(1) Alice, the user of terminal A, invites Bob, who is using terminal B, to a communication session where they can use a whiteboard to share information; (2) A issues the whiteboard session invitation to B; (3) unfortunately, B does not have the whiteboard software installed, and it informs A accordingly; (4) A suggests a location on the Internet where the software can be obtained; (5) B downloads the software, negotiating one-time use payment with the software provider if the software is not public-domain; (6) B sets up a white-board session with A so Alice and Bob can communicate" (emphasis added). The article also states that in the prototype they "designed a version of SIP, called extended SIP, for session initiation which defines a small set of extensions to SIP, for supporting advanced services." (page 23, left column, paragraph 2).

Figure 6 illustrates the signalling protocol messages sent between the terminals of user A and user B. These messages are described in paragraph 2 of the section entitled "Dynamic Service Download" in the right column of page 27. This paragraph describes "INVITE message" which is sent from the terminal of user A to the terminal of user B when user A

indicates that they wish to communicate with user B using a certain type of media.    The "UNSUPPORTED _ MEDIA message" is sent from terminal as user B to the terminal of user A if the media is not supported by the terminal of user B.    The terminal of user A can then provide a suggestion to the terminal of user B, indicating a service provider, which may be accessed through a URL and may be able to supply the resource.    This is shown as "INVITE (URL)" in Figure 6.    "Suspend" message can be sent whilst the terminal of user B negotiates with the provider if user B accepts the suggestion.

Applicants submit that all that is disclosed as being transmitted between the terminals of user A and user B is an INVITE message which is "indicating a service provider" (page 27 right column second paragraph) and that the service provider is "reachable through a URL". There is no disclosure of the URL being embedded within the SIP message.    However, even if the URL were embedded within the SIP message, which is not admitted, Applicants submit that a URL is simply a location address on a network comprising no more than a set of characters.    A URL does not and could not perform any function other than provide a location address.

RFC 2396 is the standard definition of URLs such as http:, ftp: and so on.    For the Examiner's reference, a document entitled "A Beginners Guide to URLs" is enclosed.  This document is a standard primer issued by the National Center for Super Computing Applications in the early days of the Internet to explain the function of any uniform resource locator (URL) which includes SIP URLs.    A URL is merely a pointer to a resource within a network.    Thus a URL is data which can be parsed by computer software code in order to determine the network location of a resource.    It is not software code.

In the case of a SIP URL (as explained on pages 20-25 of Handley), the resource typically is a user end station which is to be contacted using the SIP protocol.    This is directly analogous to a user picking up a conventional telephone handset and dialling a telephone number; in which case the URL is the telephone number.    On no level does this action or a SIP URL equate to executable computer programs.

As noted in RFC 2396 (the fundamental definition of a URL) a URL is a subset of the set of uniform resource indicators (URI) all of which "provide a simple and extensible means for

identifying a resource" (see section 1.0 RFC 2396). RFC 2396 continues by explaining that "having identified a resource, a system may perform a variety of operations on the resource, as might be characterised by such words as "access", "update", "replace", or "find attributes"". Thus a URL is never executed. Instead, a URL may be used to point to a resource which may itself be executed.

Applicants therefore submit that Claim 1 is not anticipated by Anjum.

Claim 14 recites a destination terminal controlled by "a processor arranged to access any computer software code stored in received signalling protocol messages". Therefore Applicants submit that Claim 14 is also not anticipated by Anjum.

Applicants submit that Claims 2 to 11 and 15 are not anticipated by Anjum at least by virtue of their dependencies.
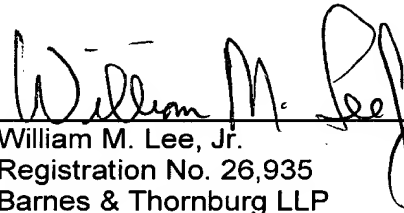
Withdrawn Claims

Claims 12-13 and 16-24 have been cancelled as requested.

In view of the above, further and favorable reconsideration are urged.

April 22, 2005                                      Respectfully submitted,

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